



#3

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/843,529

Filing Date: April 26, 2001

Applicant: Dirk Formhals et al

Group Art Unit: 2122

Examiner:

Title: REMOTELY CONTROLLED PROGRAM OPERATION

Attorney Docket: 7347-000003 (200T034.01 US)

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Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts dated June 20, 2001,

Applicants hereby submit:

1. Our check in the amount of \$920. (\$710 to complete basic filing fee, \$80 for one independent claim over 3 and the late filing surcharge of \$130);
2. Executed German Language Declaration; and
3. Copy of Notice to File Missing Parts of Non-Provisional Application as mailed from the PTO.

Request for Substitute Drawings

Applicants note that substitute drawings were required in compliance with 37 CFR because the drawings (allegedly) contain excessive text. Applicants respectfully disagree. Although 37 CFR 1.84 requires minimum text in legends, 37 CFR 1.96(b) requires that "[i]f the computer program listing is contained on ten printout pages or less, it must be submitted either as drawings or as part of the specification". Accordingly, Applicants respectfully submit that its drawings fully comply with the provisions of 37 CFR 1.84. Therefore, reconsideration of the requirement for substitute drawings is requested.

Favorable consideration of this application is respectfully requested.

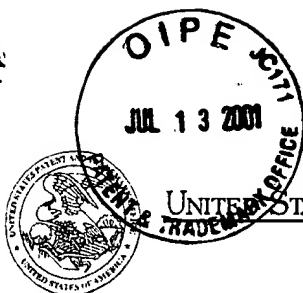
Respectfully submitted,

Dated: July 10, 2001

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

By: G. Gregory Schivley

G. Gregory Schivley  
Reg. No. 27,382



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/843,529	04/26/2001	Dirk Formhals	7347-000003

CONFIRMATION NO. 7402

## FORMALITIES LETTER



\*OC000000006207675\*

 27572  
 HARNESS, DICKEY & PIERCE, PLC  
 5445 CORPORATE DRIVE, SUITE 400  
 TROY, MI 48098

Date Mailed: 06/20/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$80.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 920.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o));

A copy of this notice **MUST** be returned with the reply.

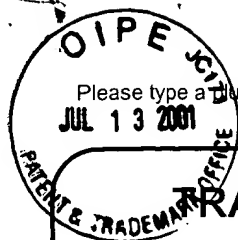
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*up*  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Sector \$



Please type a plus sign (+) inside this box →

JUL 13 2001

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/843,529	
	<b>Filing Date</b>	April 26, 2001	
	<b>First Named Inventor</b>	Dirk Formhals et al	
	<b>Group Art Unit</b>	2122	
	<b>Examiner Name</b>		
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	7347-000003

**ENCLOSURES (check all that apply)**☒ Fee Transmittal Form☒ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Response to Missing Parts/  
Incomplete Application☒ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s)  
(please identify below):

Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**


<b>Firm or Individual name</b>	Harness, Dickey & Pierce, P.L.C.	<b>Attorney Name</b>	G. Gregory Schivley	<b>Reg. No.</b>	27,382
<b>Signature</b>					
<b>Date</b>	July <u>10</u> , 2001				

**CERTIFICATE OF MAILING/TRANSMISSION**

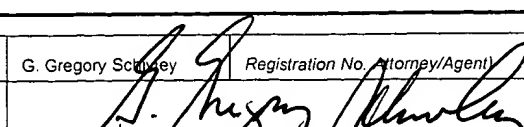
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

<b>Typed or printed name</b>	G. Gregory Schivley		
<b>Signature</b>		<b>Date</b>	July <u>10</u> , 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

	<b>FEE TRANSMITTAL for FY 2001</b>		<i>Complete if Known</i>		
	Application Number		09/843,529		
	Filing Date		April 26, 2001		
	First Named Inventor		Dirk Formhals et al		
	Examiner Name				
	Group / Art Unit		2122		
TOTAL AMOUNT OF PAYMENT (\$)		920		Attorney Docket No.	7347-000003

<b>METHOD OF PAYMENT (check one)</b> 1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: 08-0750 Deposit Account Name: Harness, Dickey & Pierce, P.L.C. <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>FEE CALCULATION (continued)</b> <b>3. ADDITIONAL FEES</b>																																																																																																																																																																																										
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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<b>SUBMITTED BY</b>		<i>Complete (if applicable)</i>			
Name (Print/Type)	G. Gregory Schreyer	Registration No.	27,382	Telephone	248 641 1600
Signature		Date	July 10, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.